

### **REMARKS/ARGUMENTS**

Claims 1-15 and 24 are in the case.

First, we express appreciation to Examiner Witherspoon for making the last Official Action non-final in view of newly applied art.

Second, we also express appreciation to Examiner Witherspoon for the helpful and courteous discussion of September 8, 2008.

During the discussion, Applicant's representative urged that Cheng et al. (U.S. 2003/0125597), the newly-cited reference, actually teaches away from the present invention. More specifically, Cheng et al. teaches that the olefin stream is distilled so that dimethyl ether is separated out along with propane. See, for instance, the Abstract of Cheng et al.

The following discussion is intended to amplify the remarks made during the discussion.

The principal claim in the present case may be described as comprising three essential steps: (a) contacting an oxygenate stream with a molecular sieve to form an olefin stream; (b) separating a propylene stream from the olefin stream; (c) hydroformylating said propylene stream with rhodium. This makes *inter alia* butyraldehyde.

Cheng et al. is not interested in the hydroformylation reaction of the present invention. Cheng et al. is interested in polymer grade ethylene and polymer grade propylene (paragraph [0002]) - i.e., the reference is teaching the polymerization of ethylene and the polymerization of propylene. Thus Cheng et al. never faced the problem of hydroformylation in the presence of dimethyl ether (DME).

As the inventors discuss in the present specification, heretofore it was believed that DME needed to be removed from propylene streams prior to contacting with a hydroformylation catalyst. But with rhodium as the hydroformylation reaction, in accordance with the present claims, this (the removal of DME from the propylene stream) has now been found to be - surprisingly - unnecessary according to the claimed process.

So: Cheng et al. removes DME from the propylene stream. See, for instance, the first sentence of paragraph [0033], and Figures 2 and 3, of the reference. And thus Cheng et al. does not cure the deficiencies of the other references cited in the rejection.

As set forth in the previous response, Vora et al. does not pass a separated propylene stream to a hydroformylation reaction, as claimed in the present invention. Rather, the reference teaches converting separated propylene to DIPE. See col. 13, about line 50, over to col. 14, line 7.

Bahrman et al. does not cure the deficiencies of Vora et al., and/or Cheng et al. While Bahrman et al. is believed to have been cited solely for its relevance to hydroformylation, i.e., for the proposition that it is known to use rhodium as a hydroformylation catalyst - but not with a propylene stream that has not previously been treated to remove DME.

Accordingly, the references of record taken together do not fairly suggest the invention as set forth in the present claims.

For these reasons, it is respectfully requested that the rejection under §103 be withdrawn.

There being no further issues, Applicants respectfully urge that the present application is in condition for allowance and early indication of such is earnestly solicited.

Respectfully submitted,

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Date

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